

UNITED STATES DISTRICT COURT
DISTRICT OF KANSAS

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
v.)	Case No. 19-01325
)	
DEF. NO. 1: \$5,000.00 in UNITED)	
STATES CURRENCY, More or Less;)	
)	
DEF. NO. 2: \$4,000.00 in UNITED)	
STATES CURRENCY, More or Less;)	
)	
Defendants.)	
_____)	

COMPLAINT FOR FORFEITURE IN REM

Plaintiff, United States of America, by and through its attorneys, Stephen R. McAllister, United States Attorney for the District of Kansas, and Annette Gurney, Assistant United States Attorney, brings this complaint and alleges as follows in accordance with Supplemental Rule G(2) of the Federal Rules of Civil Procedure:

NATURE OF THE ACTION

1. This is an action to forfeit and condemn to the use and benefit of the United States of America the following property: Def. No. 1: \$5,000.00 in United States currency, more or less and Def. No. 2: \$4,000.00 in United States currency, more or less for violations of 21 U.S.C. § 841.

THE DEFENDANTS IN REM

2. Defendant No. 1 consists of approximately \$5,000.00 in United States currency, which was recovered from a Priority Mail parcel bearing tracking number 9505513477069212248590, mailed from Wichita, Kansas on July 31, 2019, addressed to Joe Grumbine, xxxxx Hammack Ave, Perris CA 92570.

3. Defendant No. 2 consists of approximately \$4,000 in United States currency which was recovered from Express Mail parcel bearing tracking number EE357285158US, mailed from Haysville, Kansas on July 17, 2019, addressed to Joe Grumbine, xxxxx Hammack Ave, Perris CA 92570.

4. The defendants are currently in the custody of the United States Postal Inspection Service.

JURISDICTION AND VENUE

5. Plaintiff brings this action *in rem* in its own right to forfeit and condemn the defendants. This Court has jurisdiction over an action commenced by the United States under 28 U.S.C. § 1345, and over an action for forfeiture under 28 U.S.C. § 1355.

6. This Court has *in rem* jurisdiction over the defendant property under 28 U.S.C. 1355(b). Upon filing this complaint, the plaintiff requests that the Court issue an arrest warrant *in rem* pursuant to Supplemental Rule G(3)(b), which the plaintiff will execute upon the property pursuant to 28 U.S.C. § 1355(d) and Supplemental Rule G(3)(c).

7. Venue is proper in this district pursuant to 28 U.S.C. § 1355(b)(1), because acts or omissions giving rise to the forfeiture occurred in this district and/or pursuant to 28 U.S.C. § 1395, because the defendants are located in this district.

BASIS FOR FORFEITURE

8. The defendants are subject to forfeiture pursuant to 21 U.S.C. § 881(a)(6) because they constitute 1) money, negotiable instruments, securities and other things of value furnished or intended to be furnished in exchange for a controlled substance in violation of the Controlled Substances Act; and/or 2) proceeds traceable to such an exchange; and/or 3) money, negotiable instruments, and securities used or intended to be used to facilitate a violation of the Controlled Substances Act.

9. Supplemental Rule G(2)(f) requires this complaint to state sufficiently detailed facts to support a reasonable belief that the government will be able to meet its burden of proof at trial. Such facts and circumstances supporting the seizure and forfeiture of the defendants are contained in Exhibit A which is attached hereto and incorporated by reference.

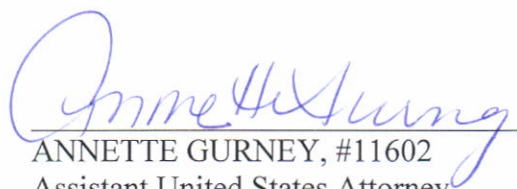
CLAIM FOR RELIEF

WHEREFORE, the plaintiff requests that the Court issue a warrant for the arrest of the defendants; that notice of this action be given to all persons who reasonably appear to be potential claimants of interests in the defendants; that the defendants be forfeited and condemned to the United States of America; that the plaintiff be awarded its costs and disbursements in this action; and for such other and further relief as this Court deems proper and just.

The United States hereby requests that trial of the above entitled matter be held in the City of Wichita, Kansas.

Respectfully submitted,

STEPHEN R. MCALLISTER
United States Attorney



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DECLARATION

I, Paul B. Shade, am a Postal Inspector with the United States Postal Inspection Service in the District of Kansas.

I have read the contents of the foregoing Complaint for Forfeiture and the exhibit thereto, and the statements contained therein are true to the best of my knowledge and belief.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on this 1st day of December, 2019.

A handwritten signature in black ink, appearing to read "Paul B. Shade", written in a cursive style.

Paul B. Shade
Postal Inspector
United States Postal Inspection Service

AFFIDAVIT IN SUPPORT OF A COMPLAINT FOR FORFEITURE

I, Paul Shade, being first duly sworn, depose and state:

1. Your Affiant has been employed as a United States Postal Inspector for the United States Postal Inspection Service since July, 2004. My duties include investigation of violations of the Controlled Substance Act, Title 21 of the United States Code and the forfeitures thereto.
2. The information contained in this affidavit is known to your Affiant through personal direct knowledge, and /or through a review of official reports prepared by other law enforcement personnel. This affidavit is submitted in support of a complaint for forfeiture.
3. On July 17, 2019, while at the Postal Service's Processing and Distribution Center, located at 7117 W. Harry St, Wichita, Kansas 67276, I observed an Express Mail parcel, bearing tracking number "EE357285158US," addressed to "Joe Grumbine, xxxxx Hammack Ave, Perris CA 92570" with a return address of "Sarah Storment, xxx Stearns, Haysville, KS 67060" was mailed on July 17, 2019 from Haysville, KS Post Office 67060. Further, this parcel weighed approximately 8 ounces and bore \$31.05 in postage (Parcel A). Investigation revealed that the \$31.05 in postage was paid for with cash.
4. I queried Parcel A's listed return address information (Sarah Storment, xxx Stearns, Haysville, KS 67060) in the CLEAR Law Enforcement Database as well as the US Postal Service Address Management System. Storment was not identified as being associated to the address.
5. I queried the Parcel A's listed addressee information (Joe Grumbine, xxxxx Hammack Ave, Perris CA 92570) in the TLO Law Enforcement Database utilized by the Police

Department and the CLEAR Law Enforcement Database. Grumbine was identified as being associated to the address.

6. On July 17, 2019 at approximately 7:42 pm I contacted the recipient listed on (Parcel A) Express Mail parcel, bearing tracking number “EE357285158US,” Joe Grumbine. He was contacted via phone number of 951-436-xxxx. After identifying myself as a United States Postal Inspector, I asked Grumbine if he was expecting any packages from the Haysville, Kansas area, and he said that he was not expecting any packages from Haysville, KS or anyone in Kansas. Grumbine consented to a search of the package since he was not expecting any packages.
7. Parcel A was opened and contained \$4,000.00 in U.S. currency concealed inside a magazine where it was wrapped in paper and inside a plastic Ziploc bag.
8. Later, a certified drug detection canine alerted to the odor of controlled substances emitting from the currency that was inside Parcel A.
9. On July 24, 2019, while examining outgoing mail parcels at the US Postal Service Processing & Distribution Center, located at 7117 W. Harry St, Wichita, Kansas, I observed a Subject Parcel, identified as Priority Mail ““9505514494229201249142,” addressed to “Sarah Case, xxx Stearns Ave, Haysville, KS 67060” with a return address of “David Williams, xxxxx State Hwy, Perris, CA 92570” was mailed on July 20, 2019 from Perris, CA Post Office 92570. Further, this parcel weighed approximately 4 pounds 5.2 ounces and bore \$19.95 in postage (Parcel B). Investigation revealed that the \$19.95 in postage was paid for with cash.
10. Later, a certified drug detection canine alerted to the odor of controlled substances emitting from Parcel B.

11. On July 24, 2019 a federal search warrant was obtained and executed upon Parcel B.

Parcel B contained 3.7 pounds of a green leafy substance, which field tested positive for marijuana.
12. On August 2, 2019, I was notified of a suspicious parcel destined for Joe Grumbine, xxxxx Hammack Ave, Perris, CA 92570 from Haysville, Kansas which was affiliated with a prior cash seizure of \$4000. I contacted the Perris California Post Office and had them route the parcel to my office in Overland Park Kansas.
13. On August 8, 2019, the parcel arrived at my office and was identified as an Priority Mail parcel, bearing tracking number “9505513477069212248590,” addressed to “Joe Grumbine, xxxxx Hammack Ave, Perris CA 92570” with a return address of “Mary Blum, xxx Spring, Haysville, KS 67060”, it was mailed on July 31, 2019, from Wichita, KS Post Office 67217. Further, this parcel weighed approximately 8 ounces and bore \$7.90 in postage (Parcel C). Investigation revealed that the \$7.90 in postage was paid for with cash.
14. I queried the Parcel C’s listed return address information (Mary Blum, xxx Spring, Haysville, KS 67060) in the CLEAR Law Enforcement Database as well as the US Postal Service Address Management System. Blum was identified as being associated to the address.
15. On 8/8/19 I received information that “Sara” had called in to check on the package she had mailed and left a phone number of 316-409-xxxx. I called the number and after identifying myself as a United States Postal Inspector I asked Sara what package she was referencing and she identified “9505513477069212248590,” addressed to “Joe Grumbine, xxxxx Hammack Ave, Perris CA 92570” with a return address of “Mary

Blum, xxx Spring, Haysville, KS 67060.” Sara explained that she was Sara Storment and that I had previously taken her \$4000 from her that she had mailed to Joe Grumbine a few weeks prior, so this time she used the return address of Mary Blum, xxx Spring, Haysville, KS 67060 as this is her mother’s information.

16. I asked why she used her mother’s address and she said “to keep the post office from seizing it.” She was asked what the contents of this parcel were and she stated it contained \$5000 cash which was sent to pay for CBD products. She consented to open the package. I asked if she has used any marijuana in the course of business related her CBD production and she said “never, we only use hemp,” I then asked her why a parcel containing marijuana would have been seized that was destined for her address with her name on it and she said that she didn’t know anything about that. She then said that I would be hearing from her attorney and hung up.
17. Parcel C was opened and contained \$5000.00 U.S. currency concealed inside aluminum foil.
18. Later, a certified drug detection canine alerted to the odor of controlled substances emitting from the currency contained inside Parcel C.
19. Based on the information set out above, Affiant has probable cause to believe that the \$4,000 and \$5,000.00 seized by USPIS constitutes money or other things of value furnished or intended to be furnished in exchange for a controlled substance, or proceeds traceable to such an exchange, or were used or intended to be used to facilitate one or more violations of Title 21, U.S.C. § 841 et.seq. Accordingly, the property is subject to forfeiture pursuant to Title 21, U.S.C. § 881.

Paul B. Shade

Paul Shade
Postal Inspector

Sworn to and subscribed before me this 2nd day of December, 2019.



Michelle R. Kellogg
NOTARY PUBLIC